

REMARKS

Applicants respectfully note that the "Filing or 371 (c) Date" displayed in the PAIR system is neither the filing date of this International Application nor the date of U.S. National Phase entry under 35 U.S.C. § 371.

Claims 2, 3, 6, 10, 11, and 15-17 will be pending in the application after the Examiner enters the forgoing amendment.

The Examiner objected to some informalities in the claims, and Examiner rejected claims 1-5 under § 112, alleging that these claims lack clarity. The Examiner rejected claims 6, 7 and 10-12 under 35 U.S.C. § 102 as being anticipated by U.S. Patent 6,504,908 to Bellomo; rejected claims 1-4 and 8-15 under 35 U.S.C. § 103 as being obvious in view of Bellomo and U.S. Patent 5,764,760 to Grandbert; and rejected claim 5 under § 103 as being obvious in view of Bellomo, Grandbert, and U.K. Patent GB2098821 to Kong.

Applicants have amended claims 2, 3, 6, 10, and 11, cancelled claims 1, 4, 5, 7-9, and 12-14 and added claims 16-20.

Support for the amendment may be found, for example, in Figures 1 and 2 of the originally filed Patent Application.

Applicants respectfully submit that the pending claims, as amended, are patentable over the art of record, and otherwise comply with the statutes and regulations.

Bellomo discloses a personal emergency response system having a home communicator with fully integrated capabilities to provide messages and reminders on a timed basis for the well being, safety and comfort of the subscriber as well as providing the emergency response capabilities of present systems. The invention may be embodied in a small tabletop device which can include a speakerphone and other telephone functions and which is plugged into the telephone line at the subscriber's home or other facility. The unit includes microprocessor-based circuitry including an internal clock and data storage for containing control and message information. The invention serves as an interactive attendant for the subscriber by which the subscriber can have an increased sense of security in the ability to summon help in the event of an emergency, and in being provided

with timely reminders in the course of daily activities. Bellomo Abstract.

A RESET key 60 is provided which ... is used to hear the stored message once the reminder has initiated. Bellomo col. 2, lines 59-63.

The SETUP key 40 is used for setting up or programming personal reminders. The personal reminders can be programmed locally by use of the numeric keypad 30 or can be done remotely via the phone, such as from a caregiver's home, a doctor's office, or other remote locations. Reminders can be programmed to play once a day (daily), once a week (weekly) or to play only once. Bellomo col. 2, line 64-col. 3, line 3.

The reminder can be recorded in the user's own voice ... The reminder could alternatively be recorded in the voice of a relative or caregiver ... The reminders are stored locally in the reminder phone, thus the reminder will still occur even if the phone line becomes inactive. The reminder phone could be realized as a wireless phone or as a cellular phone. Bellomo col. 3, lines 16-27.

Referring now to FIGS. 3A and 3B, a flow chart for the process 300 for the playback of reminders is shown. At a first step 302 a check is determined if any reminders are due. If no reminders are currently due, then the determination is repeated until a reminder is due. Once a reminder is due ... At step 307, a determination is made if the reset button has been pressed... Referring back to step 307, if the reset button is pressed, then the current reminder is played... Bellomo col. 5, line 53-col. 6, line 19.

Grandbert discloses a telephone set comprising: a main body (10) on which a keypad (4) is provided, a rotating cover (12) intended to conceal the keypad (4). Grandbert Abstract.

The Examiner stated that "Kong discloses a knurled wheel for adjusting a tuner (abstract and 24 Fig.1). Office Action page 5.

In contrast, each of claims 16, 2, 3 and as amended, and 17-18 recites a portable apparatus comprising a housing including a first face, and a second face opposite the first face, the second face facing away from the first face, wherein the apparatus is configured to store a voice message and a date and time, and associate the date and time with the voice message, responsive to the microphone and activation of the set of buttons on the second face; emit an audio signal at the stored date and time, responsive to the clock; and


subsequently send the voice message to the speaker on the first face, responsive to activation of the button on the first face. (Base claim 16). Even if "it would have been obvious to a person of ordinary skill in the art to modify Bellomo's invention to include a shutter and a screen as in Grandbert's wireless phone" (Office Action page 4, paragraph 3), no reasonable combination of the art of record would have suggested Applicants' portable device recited in claim 16, including the seemingly awkward arrangement of buttons and a speaker on the recited opposite faces of the housing.

Claims 6, 10 and 17-18 are patentable as each recites a method for operating with a portable apparatus including a housing including a first face, and a second face opposite the first face, the second face facing away from the first face, the method comprising storing a voice message in the apparatus, responsive to the microphone; storing a date and time in the apparatus, responsive to activation of the set of buttons on the second face, and associating the date and time with the voice message; emitting an audio signal at the date and time stored in the storing step; and subsequently, responsive to activation of the button on the first face, sending the voice message to the speaker on the first face. (Base claim 6).

Claims 11, 15, and 19-20 are patentable as each recites a portable apparatus comprising a housing including a first face, and a second face opposite the first face, the second face facing away from the first face; means for storing a voice message in the apparatus, responsive to the microphone; means for storing a date and time in the apparatus, responsive to activation of the set of buttons on the second face, and associating the date and time with the voice message; means for emitting an audio signal at the date and time stored by the storing means; and means, operating after the emitting means, for sending the voice message to the speaker on the first face, responsive to activation of the button on the first face. (Base claim 11).

If the Examiner has any questions about this amendment, applicants' representative would appreciate discussing this Amendment with the Examiner. Applicants' representative, Jerome Jackson, can be reached at 703-684-4840.

Respectfully submitted,


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